IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.Misc. No.32887-M of 2006

Date of Decision: 15.3.2007

Poonam & others.

....Petitioners.

Versus

State of Haryana

...Respondent.

CORAM : Hon'ble Mr. Justice S.S.Saron.

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Present:- Mr.Sanjay Verma,Advocate
for the petitioners.

Mr.Vikas Chaudhary, AAG Haryana.

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S.S.SARON, J.(ORAL)

During the course of hearing it is not disputed by learned counsel for the parties that the charge in the case has been framed and the case is fixed for prosecution evidence on 11.9.2007.

Learned counsel for the petitioners, however, states that the petitioners are resident of Nagina District Bijnore, U.P. and it is difficult for them to attend the Court proceedings at Yamuna Nagar. Besides, it is submitted that the petitioner No.3 Krishan Lal Malik, is aged 74 years and petitioner No.1.Poonam has a newly born child. Therefore, it is prayed that the petitioners be exempted from personal appearance for the dates fixed before the learned Trial Court and they be permitted to appear through their counsel in the case. It is further stated that they would have no objection to the trial being conducted and the evidence being recorded in their absence.

Keeping in view the nature of the allegations as also the fact that the petitioners are residing at Nagina, District Bijnore, it would be

difficult for them to attend the Court at Yamuna Nagar on each date of hearing.

Therefore, their personal presence before the trial Court shall remain exempted provided they furnish an undertaking to the effect that they would be represented by a counsel and they would have no objection to the evidence being recorded in their absence. The petitioners shall however appear before the trial Court on the dates when their presence is required by the said Court for the purpose of the case.

With the above observations, the criminal miscellaneous stands disposed of.

(S.S.SARON)
JUDGE

March 15,2007
Reema